

ABELSON & TRUESDALE, LLC

BY: STEVEN J. ABELSON, ESQ.

80 West Main Street

Freehold, New Jersey 07728

(732) 462-4773

Attorney for Debtor/Plaintiff

ID # (SA) 7987

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

ARMANDO CUNHA

Debtors

ARMANDO CUNHA

Plaintiff

v.

WELLS FARGO BANK, N.A.

Defendant

:
: Case No. 19-16695-KCF
:
: Chapter 13
:
: **APPLICATION AND CERTIFICATION**
: **OF PLAINTIFF IN SUPPORT OF ORDER**
: **TO SHOW CAUSE WITH TEMPORARY**
: **RESTRAINTS**
:
: Adv Proc No:
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ARMONDA CUNHA, Debtor, hereby certifies as follows:

1) I am the Debtor in the above captioned matter.

2) I bring this request for emergent relief due to the pending sheriff sale of my home located at 118 Veeder Lane, Bayville, New Jersey.

3) This property serves as my primary residence and without it I will have no place to live.

4) I acknowledge that I have fallen into arrears with regards to pre-petition mortgage payments that were due to the Defendant.

5) I attempted to address this matter by filing for bankruptcy relief, however I erred in believing that I could complete the same on my own, which resulted in the dismissal of the first case I filed (Case # 18-34229).

6) In realizing this mistake I attempted to have an attorney file a second case (Case # 19-10310), however I was not aware or otherwise advised by counsel that there were certain requirements of me to the chapter 13 Trustee. As a result of these requirements not being met, my second case was dismissed.

7) I filed this third instant case on my own out of fear that the lose of my home was imminent. Although this case, like the first was filed without an attorney I quickly sought assistance from an attorney that specializes in bankruptcy as to avoid any of the problems which caused my second case to be dismissed.

8) Counsel advised me that because my two previous filings were dismissed within a year, that there was no automatic stay to protect me from the sheriff sale and that this filing was necessary.

9) I respectfully submit that I am prepared to comply with all provisions of my chapter 13 case and sincerely believe that I can successfully complete the same. I respectfully ask that the Court afford me the opportunity to try and save my only home.

10) I thank the Court for its courtesies.

I hereby certify that the foregoing statements are true. If any of the foregoing statements are wilfully false, I realize that I am subject to punishment.

_____/s/ Armando Cunha_____
Armando Cunha

Dated: April 16, 2019.